



**FARMERS
BRANCH**

"BEST LIVING PLACE"

ORDINANCE NO. 1667

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, BY GRANTING A SPECIFIC USE PERMIT FOR A RESTAURANT WITH A MIXED BEVERAGE PERMIT IN THE PD-22 ZONING DISTRICT AND WITHIN THE BUILDING LOCATED AT 1503 L.B.J. FREEWAY; PROVIDING FOR CONDITIONS OF OPERATION, PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EMERGENCY.

WHEREAS, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to granting of a specific use permit under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning uses should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be and the same is hereby amended by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit for a Restaurant with a Mixed Beverage Permit in the PD-22 zoning district.

SECTION 2. That the restaurant shall be located within the

building designated as 1503 L.B.J. Freeway and more specifically described in Exhibit "A".

SECTION 3. That the restaurant shall be operated in accordance with Ordinance No. 1652 and with the following provisions:

a. The Specific Use Permit for a Restaurant with a Mixed Beverage Permit shall be limited to the first floor only and more specifically to the location designated in Exhibit "B".

b. No exterior signs advertising the sale of alcoholic beverages in conjunction with the restaurant are permitted.

c. The arrangement of tables, equipment, furnishings, operations, method of operation, kitchen, service bar, or uses shown on the approved site plan, Exhibit "B", shall not be changed, revised or altered without City Council approval or with a revised site plan. Should the requirements established by the approved site plan be violated or altered either inside or outside of the restaurant, the specific use permit shall become invalid and terminated and the private club operation shall cease.

d. The restaurant shall provide inside service only.

e. The combined gross food and beverage sales shall conform to a minimum of 70% food sales and a maximum of 30% alcohol sales.

f. The operator of the restaurant shall submit a report, on a form provided by the City Secretary's Office, on or before the 10th day of each month, a statement reflecting gross sales, food sales, sale and serving of alcoholic beverages. The monthly report shall also reflect the cumulative gross sales, food sales, and alcoholic beverage sales for the proceeding twelve (12) month period.

g. The restaurant management, bartenders and all persons serving alcoholic beverages shall participate in the Alcohol Awareness Program offered by the Dallas Council on Alcoholism and Drug Abuse and proof of attendance provided to the City.

SECTION 4. That the above described property shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as herein amended and by the granting of a specific use permit for a Restaurant with a Mixed Beverage Permit in the PD-22 zoning district.

SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction

shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense.

SECTION 6. If any section, paragraph, subsection, clause, phrase, provisions or word of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. Whereas, it appears that the above described property requires that it be given the specific use permit in order to permit its proper use and development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such case provides.


DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 5th day of January, 1987.

APPROVED:


Mayor

APPROVED AS TO FORM:

ATTEST:


City Attorney

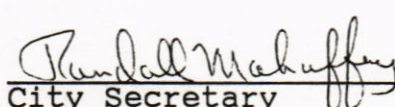

City Secretary

Exhibit "A"

BUILDING C-3

BEING a building located in the Samuel P. Brown Survey, Abstract No. 158, and the James F. Chenoeth Survey, Abstract No. 267, in the City of Farmers Branch, Dallas County, Texas, said building is located on Lot 4, Block 1 of property platted as Revised Final Plat Park West - Phase II as filed for record in Volume 85186, Page 3424, Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the extensions of the north right-of-way line of Interstate Highway 635 (a variable width right-of-way) and the west right-of-way line of Luna Road (a variable width right-of-way);

THENCE the following bearings and distances along said north right-of-way line:

North $87^{\circ}17'03''$ West, a distance of 1089.89 feet;
North $79^{\circ}04'16''$ West, a distance of 485.05 feet:

THENCE North $44^{\circ}15'07''$ West, departing said north right-of-way line, a distance of 158.6 feet to the POINT OF BEGINNING.

THENCE the following bearings and distances along the building perimeter:

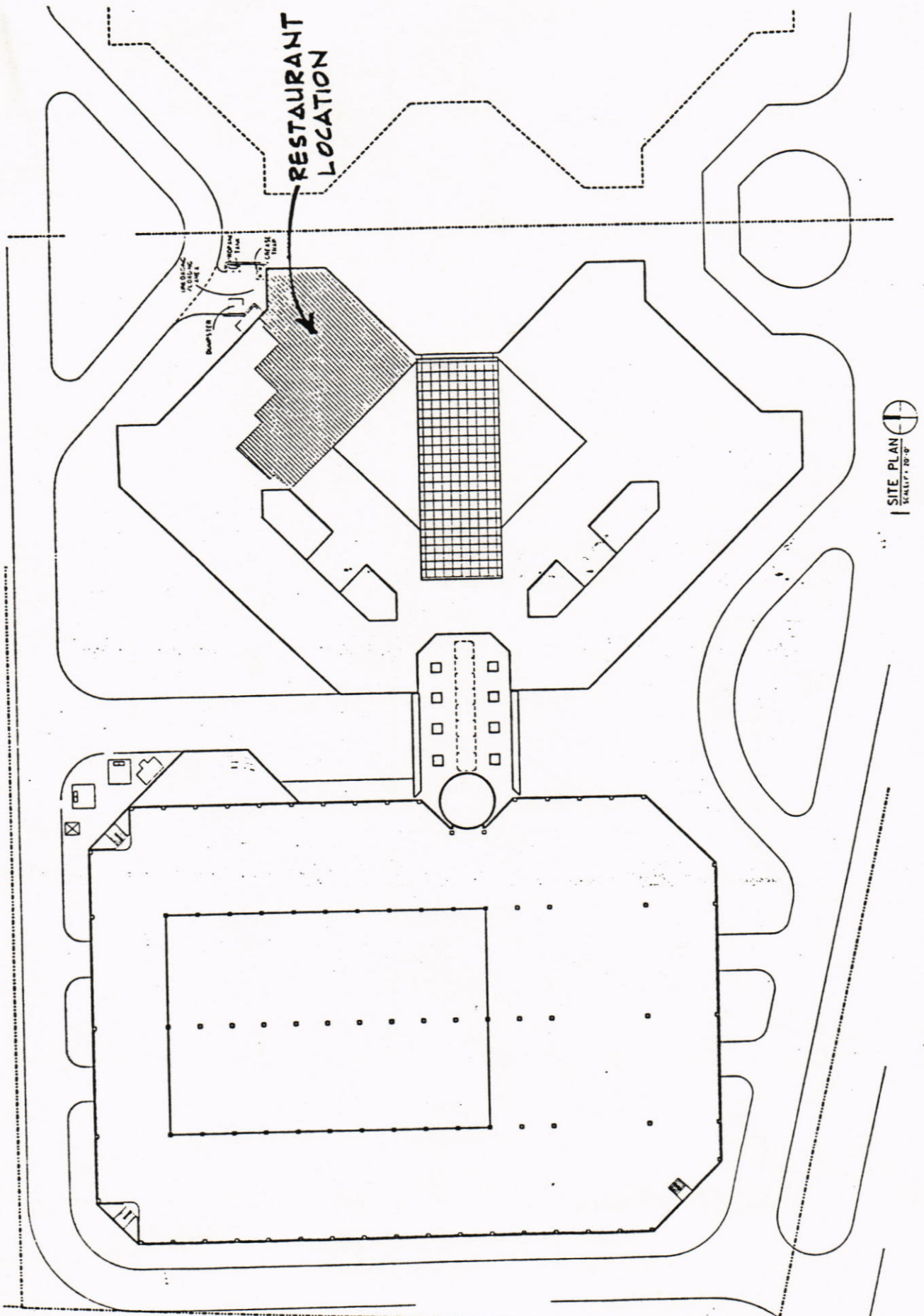
South $88^{\circ}25'23''$ West, a distance of 32.9 feet;
North $46^{\circ}34'37''$ West, a distance of 173.5 feet;
North $1^{\circ}34'37''$ West, a distance of 138.9 feet;
North $43^{\circ}25'23''$ East, a distance of 173.5 feet;
North $88^{\circ}25'23''$ East, a distance of 32.9 feet;
South $1^{\circ}34'37''$ East, a distance of 22.5 feet;
South $46^{\circ}34'37''$ East, a distance of 90.0 feet;
North $88^{\circ}25'23''$ East, a distance of 22.5 feet;
South $1^{\circ}34'37''$ East, a distance of 32.9 feet;
South $43^{\circ}25'23''$ West, a distance of 70.2 feet;
South $1^{\circ}34'37''$ East, a distance of 47.0 feet;
South $46^{\circ}34'37''$ East, a distance of 70.2 feet;
South $1^{\circ}34'37''$ East, a distance of 32.9 feet;
South $88^{\circ}25'23''$ West, a distance of 22.5 feet;
South $43^{\circ}25'23''$ West, a distance of 90.0 feet:

THENCE South $1^{\circ}34'37''$ East continuing along the building perimeter, a distance of 22.50 feet to the POINT OF BEGINNING AND CONTAINING 62,249 square feet or 1.4291 acres of land more or less.

Exhibit "A"

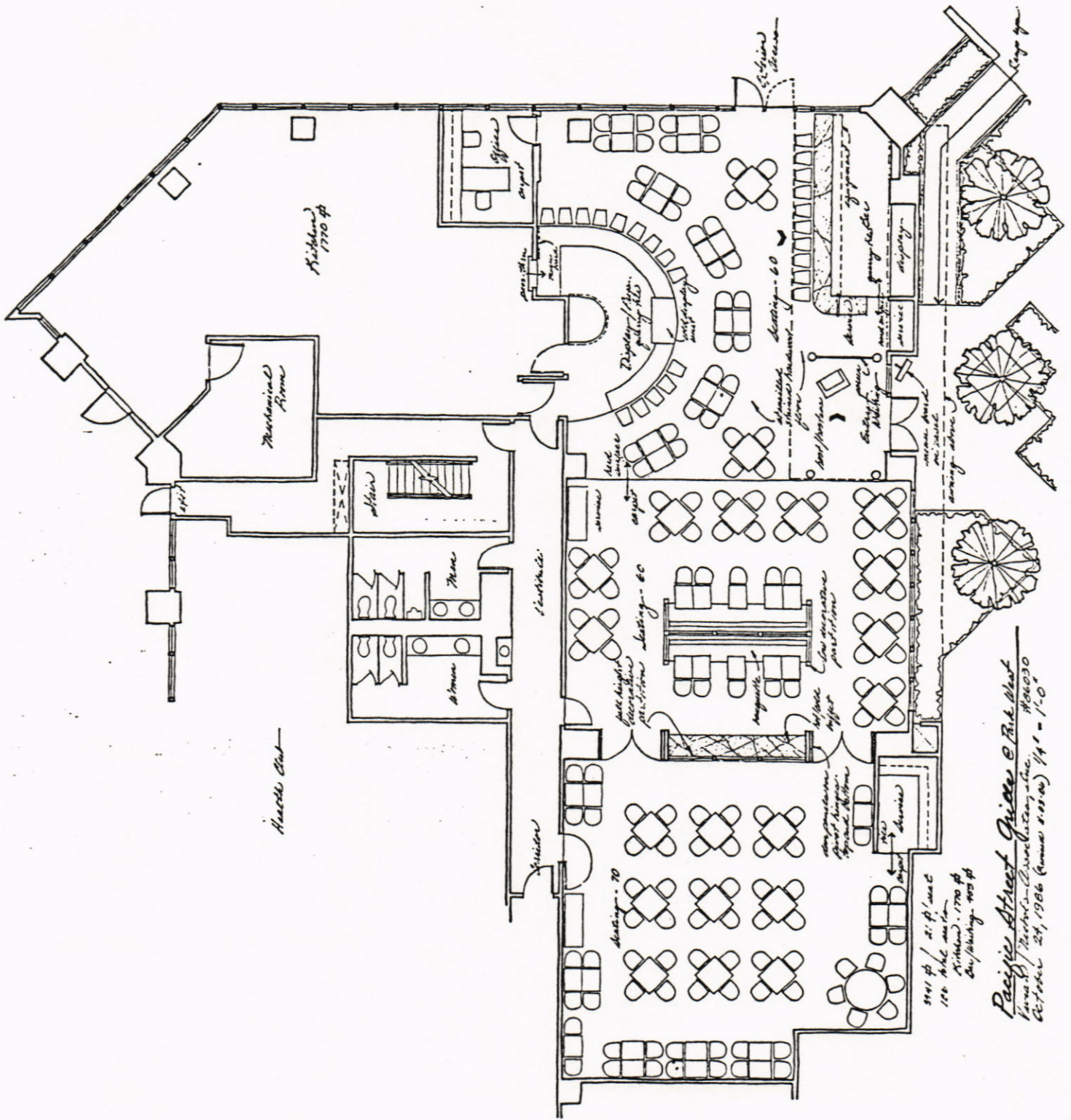
PARK WEST PHASE 2

H M B, H A R C H I T E C T S



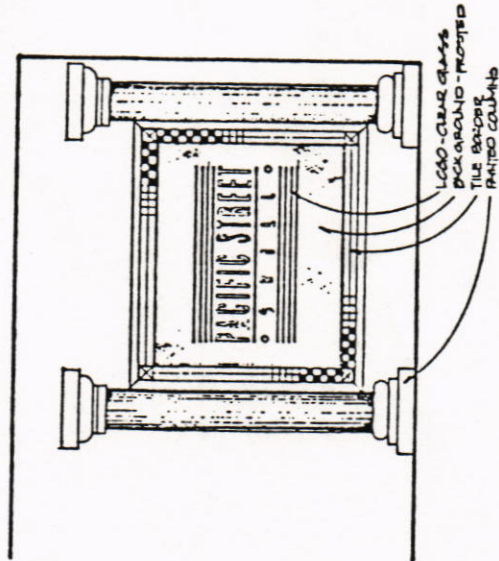
SITE PLAN
SCALE: 1" = 20'-0"

Exhibit "B"

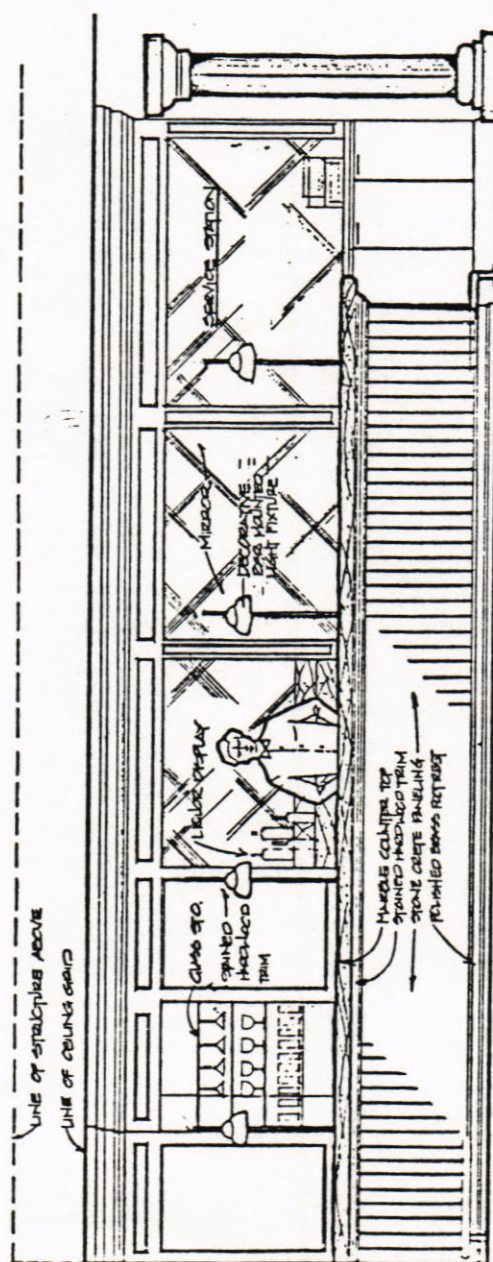


Pacific Street Givens & Paul West
Kronos / Reich's - Advertising, Inc. #86030
October 24, 1986 (around 11:00 AM) 1/4" = 1'-0"

Exhibit "B"



ELEVATION OF ENTRY SCREEN



ELEVATION OF BAR